IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELALTE SIDE

WRIT PETITION NO.2961 OF 2006

Pune Mahila Mandal. ...Petitioner.

Vs.

Madhavi Madhukar Keskar & Ors. ...Respondents.

.....

Mrs.Neeta Karnik for the Petitioner.

Mr.A.D.Patwardhan for the Respondents.

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CORAM : DR.D.Y.CHANDRACHUD, J.

June 22, 2006.

P.C. :

The Respondent was an employee of the Petitioner and has moved an application for payment of gratuity due under the Payment of Gratuity Act, 1972. The Petitioner who is the employer is impleaded as a party Respondent to the application. The Respondent is justified in not seeking to implead the State. The Petitioner as the employer cannot dictate that the State has to be impleaded. The order of the Competent Authority hence, does not warrant interference under Article 227 of the

Constitution. The Petition is dismissed.